

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JEFFERY RAYMOND DAY,

No. C 11-2030 CW (PR)

Plaintiff,

ORDER OF DISMISSAL WITHOUT  
PREJUDICE

v.

WARDEN, ATASCADERO STATE  
HOSPITAL, et al.,

Defendants.

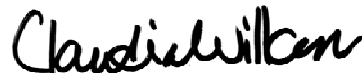
Plaintiff Jeffery Raymond Day, a state prisoner confined at Atascadero State Hospital, filed the instant pro se prisoner complaint under 42 U.S.C. § 1983. The in forma pauperis application attached to the complaint bears the name of a different individual, however, and the prison trust account statements pertain to a third individual. Consequently, on the same day the action was filed the Clerk of the Court sent a notice to Plaintiff, informing him that his action could not go forward until he paid the filing fee or filed a completed prisoner's in forma pauperis application. The Clerk sent Plaintiff a blank in forma pauperis application and told him that he must pay the fee or return the completed application within thirty days or his action would be dismissed. More than thirty days have passed and Plaintiff has not paid the filing fee, returned the in forma pauperis application or otherwise communicated with the Court.

Accordingly, this action is DISMISSED WITHOUT PREJUDICE.

This Order terminates Docket no. 3.

IT IS SO ORDERED.

Dated: 6/16/2011



CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

JEFFREY RAYMOND DAY,

Plaintiff,

v.

KATHLEEN DICKSEN et al,

Defendant.

Case Number: CV11-02030 CW

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 16, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Jeffery Raymond Day AT-060391  
Atascadero State Hospital  
10333 El Camino Real  
Atascadero, CA 93422

Dated: June 16, 2011

Richard W. Wieking, Clerk  
By: Nikki Riley, Deputy Clerk

United States District Court  
For the Northern District of California